

### Myxer

## The real-world need for an open mobile internet

October 22-23, 2009



### Overview of Myxer

- Leading source of mobile entertainment
  - music, applications, video, ringtones
- Cross platform, cross carrier
- ▶ Founded 2005
- 26 million US consumers



# Bonamassa



Joe Bonamassa Live From Nowhere In Particular In Stores Now!

**BUY NOW** 



HOME TOUR

MEDIA

BIO

DISCOGRAPHY STORE LINKS

SUBSCRIBE TO NEWSLETTER

GO

#### JOE'S NEWS



#### Important News Update!

Joe Bonamassa has won the Guitar Players Reader's Cgoice Award "Best Blues Artist 2008 (second year in a row) Thank you to all those who voted! read the article

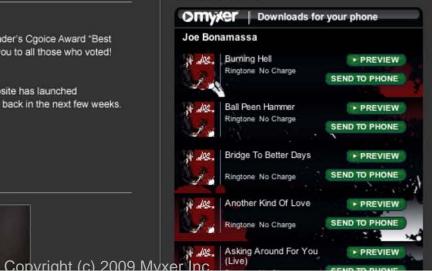
The brand new Joe Bonamassa street team website has launched We will continue to add more features. So check back in the next few weeks. Become a Street Member

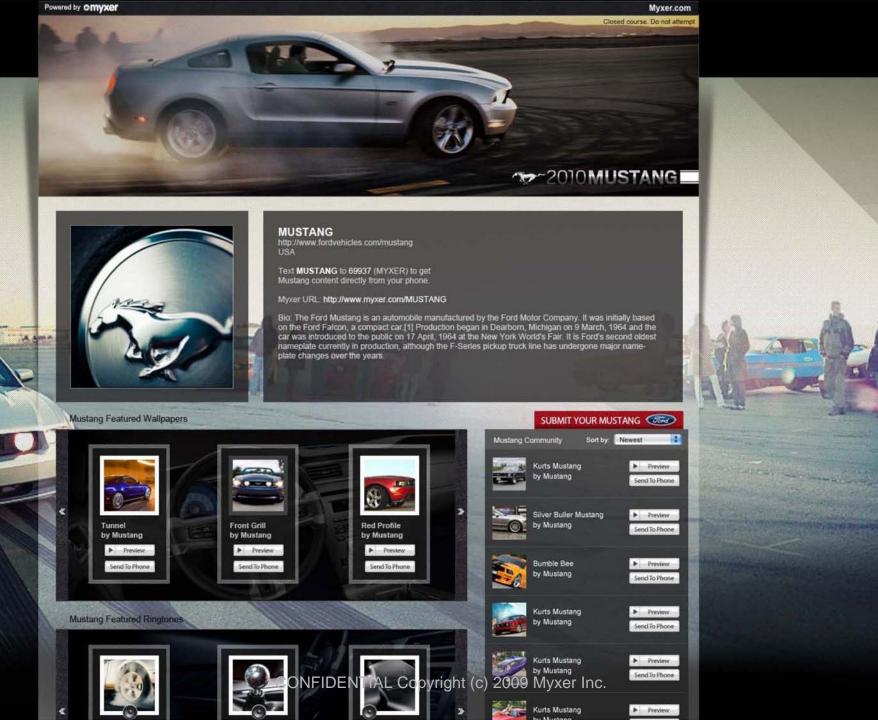
#### **JOE TUBE**





#### THING'S TO DO













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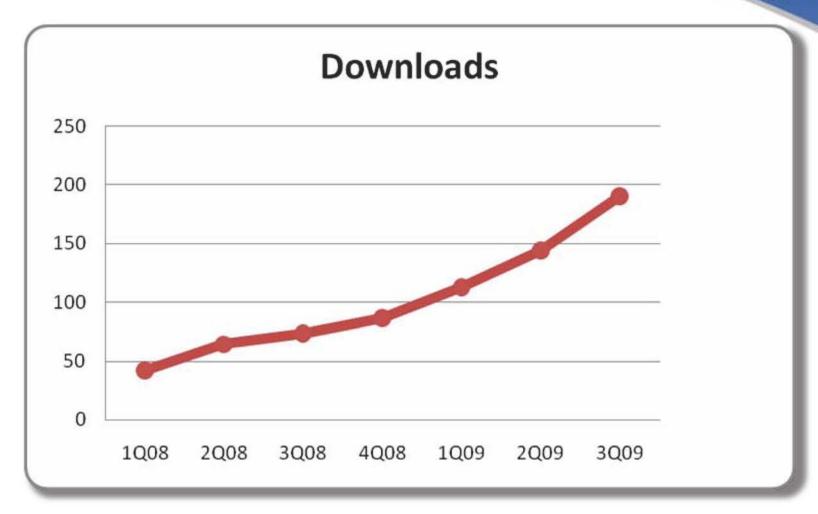












Overall downloads have increased an average of 29% every quarter since 1Q08, and are projected to reach 190M in 3Q09. Myxer is delivering an average of approximately 25 downloads every second of every day.

































### What we've learned

Technological challenges are real, but solvable through innovation.

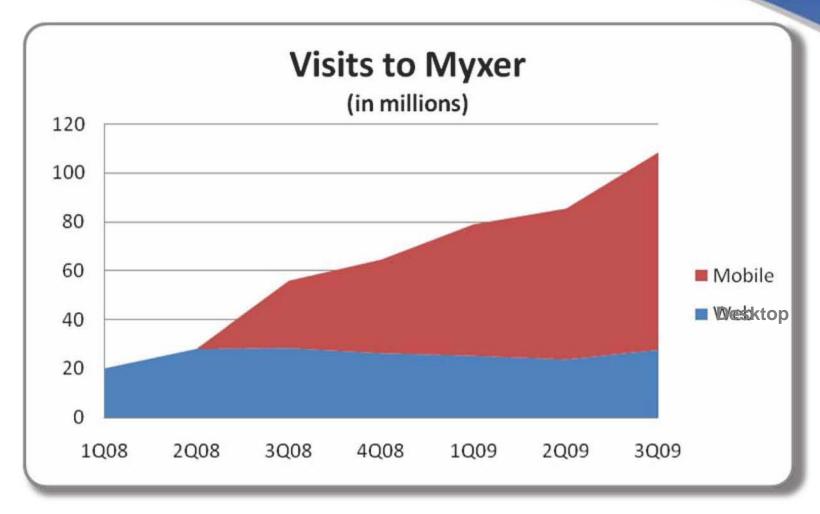
Institutional challenges are far more difficult roadblocks to innovation.



## Why Myxer is visiting the FCC

- Access to Myxer's internet service is now predominantly flowing through mobile networks.
- Mobile operators have demonstrated a willingness to use the control they have over internet access to:
  - restrict consumer choice,
  - prevent competition,
  - fix and inflate retail pricing, and
  - inhibit innovation in technology and business models.
- Formal extension of net neutrality principles to the mobile internet is critical





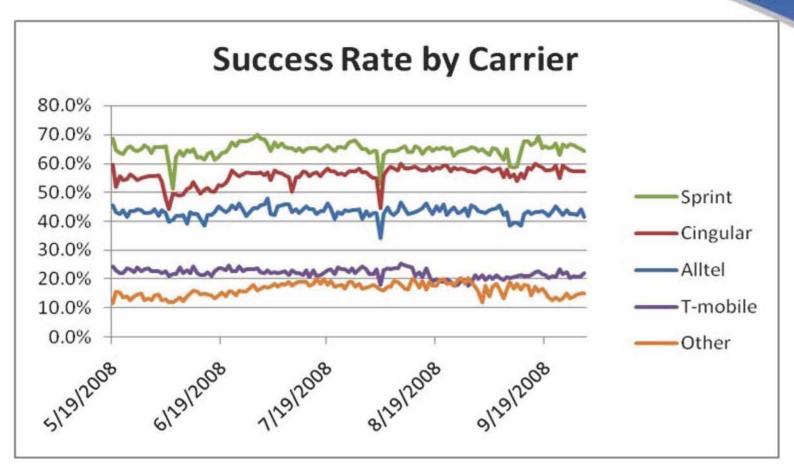
Our audience is large, growing, and embracing the mobile web at a fantastic pace. Well over 100M visits were recorded to myxer.com in the third quarter of 2009, a 27% increase from the previous quarter.



## Carriers have restricted consumer choice

- Arbitrary and opaque content standards enforced
- Intentional crippling of device capabilities
- Expensive and restrictive approval processes



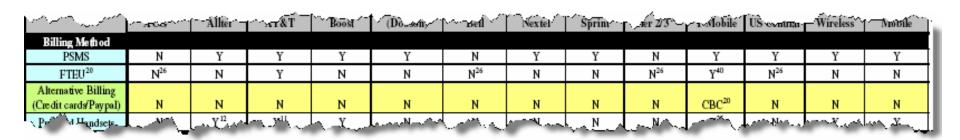


The T-Mobile line demonstrates the devastating effect of carriers intentionally crippling devices (here, the Sidekick) to prevent "off-deck" content downloads. Only 20% of T-Mobile users can use Myxer.



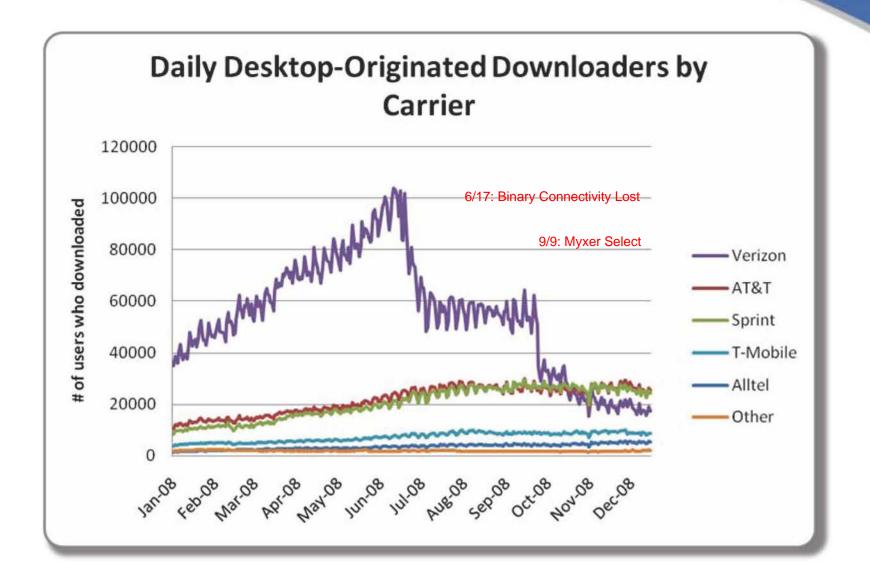
# Carriers have inhibited competition

Prevented use of alternative billing mechanisms



 Denied and/or terminated SMS access of perceived competitive products and services





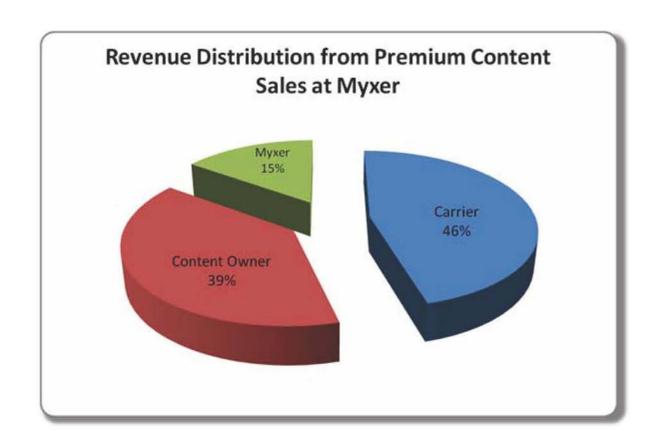


# Carriers inflate consumer prices for mobile content

- Define and enforce permitted retail price-points;
- Define and enforce permitted bundling options;
- Forbid use of competitive billing mechanisms;
- Gouge on transaction costs (up to 50% per retail transaction, vs. 2-5% for comparable internet service)



### Gouging of transaction costs





## Carriers have prevented adoption of new business models

 Explicitly disallow "free to end user" (FTEU) content (e.g., advertising-supported)

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Billing Method													
PSMS	N	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y
FTEU <sup>20</sup>	N <sup>26</sup>	N	Y	N	N	N <sup>26</sup>	N	N	N <sup>26</sup>	Y <sup>40</sup>	N <sup>26</sup>	N	N
Alternative Billing													
(Credit cards/Paypal)	N	N	N	N	N	N	N	N	N	CBC <sup>20</sup>	N	N	N
Pr Indsets		Y <sup>12</sup>	سيطار	X	محاصية المراجعين	Call La	7	N	NA.		Nea	×	



### The Vision









Content Provider

**Access Provider** 



### Summary

- Access to Myxer's internet service is now predominantly flowing through mobile networks.
- Mobile operators have demonstrated a willingness to use the control they have over internet access to:
  - restrict consumer choice,
  - prevent competition,
  - fix and inflate retail pricing, and
  - inhibit innovation in technology and business models.
- Formal extension of net neutrality principles to the mobile internet is critical to achieving the FCC's mandate.
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